HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.10641 OF 2007

Between:

D.Venkataramaiah

. . .Petitioner

AND

The Commissioner of Endowments,
Government of Andhra Pradesh,
Hyderabad and another

. . .Respondents

:: ORDER ::

Counsel for the petitioner : Shri J.Sreenivasa Rao

Counsel for the Respondents : Government Pleader for Endowments

5th June, 2007

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PER C.V.NAGARJUNA REDDY, J

This writ petition is filed for a writ of mandamus to set aside the notification issued by respondent No.2 in RC.No.A3/4248/07, dated 04.05.2007 where under applications have been called for, for constitution of a Trust Board to Sri Sita Ramanjaneya Swamivari Devasthanam (for short 'the Devasthanam') situated at Irukulapalem Village, Muppalla Mandal, Guntur District.

We have heard Shri J.Sreenivasa Rao, learned counsel for the petitioner and perused the record.

The petitioner claims to be a devotee of the Devasthanam. The learned counsel for the petitioner submitted that since the temple is being run by the villagers smoothly, there is no need of constitution of Trust Board to the temple. He also submitted that the temple has not been registered under Section 6-C of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and therefore the proposed constitution of Trust Board is illegal.

We have not felt persuaded to accept the contentions advanced by the learned counsel for the petitioner. In the first place, the petitioner is unable to show his locus to maintain this writ petition. It is neither his pleaded case nor he had filed any material to show that he was involved in the affairs of the Devasthanam or he contributed in any manner for its well being. The mere assertion that he was a devotee of the Devasthanam does not cloth him with the locus to maintain this writ

petition.

Secondly, the petitioner has neither pleaded nor substantiated to the effect that constitution of Trust Board is going to affect the interest of the institution or general public. In our considered view, constitution of the Trust Board would ensure better management of the Devasthanam and it does not in any manner affect its interests.

At the hearing, the learned Government Pleader for Endowments handed over a copy of the proceedings of the Assistant Commissioner of Endowments, Guntur, dated 01.06.2007, wherein Trust Board has been constituted for the Devasthanam.

For the aforementioned reasons, we hold that the writ petition is misconceived and is liable to be dismissed. Ordered accordingly.

As a sequel to dismissal of the main petition, WPMP No.13390 of 2007 filed by the petitioner for interim relief is also dismissed.

C.V.NAGARJUNA REDDY, J

G.S.SINGHVI, CJ

5th June, 2007

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